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September 23, 1996

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SEP 23 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
Room 222
1919 M Street, N.W.
Washington, D.C. 20554
Attention: Allocations Branch

Re: Comments of D. Mitchell Self Broadcasting, Inc.
MM Docket No. 96-163
RM-8841
Clifton, Tennessee

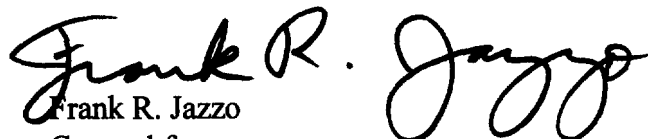
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Dear Mr. Caton:

Transmitted herewith, on behalf of D. Mitchell Self Broadcasting, Inc., are an original and four copies of its Comments in the above-captioned proceeding in support of the allotment of Channel 293A to Clifton, Tennessee, as that community's first local FM service.

Should any additional information be required, please contact this office.

Very truly yours,
FLETCHER, HEALD & HILDRETH, P.L.C.



Frank R. Jazzo
Counsel for
D. Mitchell Self Broadcasting, Inc.

Enclosures

cc: Service List (w/enc.)

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BEFORE THE

Federal Communications Commission RECEIVED

WASHINGTON, D.C. 20554

SEP 23 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of

Amendment of Section 73.202(b)
of the Commission's Rules,
FM Table of Allotments,
to Allot Channel 293A to
Clifton, Tennessee

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MM Docket No. 96-163
RM-8841

To: Chief, Allocations Branch

COMMENTS

On August 2, 1996, the Chief of the Allocations Branch released a *Notice of Proposed Rule Making*, MM Docket No. 96-163, DA 96-1187 ("*NPRM*"), proposing the allotment of FM Channel 293A to Clifton, Tennessee, as that community's first local aural transmission service. D. Mitchell Self Broadcasting, Inc. ("*Self Broadcasting*"), by its attorney, hereby supports the proposed allotment of Channel 293A to Clifton, Tennessee, which it initiated by its "Petition for Rulemaking," RM-8841, filed July 2, 1996.

If the requested allotment is made, Self Broadcasting hereby restates that it will apply for a construction permit for a new FM station on Channel 293A at Clifton, Tennessee. If Self Broadcasting is granted a construction permit, it will construct a new FM station to serve Clifton, Tennessee, as that community's first local FM service.

As noted in the *NPRM*, the proposed allotment can be made in full compliance with the Commission's minimum mileage separation requirements with a site restriction of 10.6

kilometers (6.6 miles) northwest in order to avoid a short-spacing conflict with the licensed site of WBTG(FM), Channel 293C3, Sheffield, Alabama (35° 28' 01" N; 88° 03' 11" W).

Self Broadcasting had proposed in its "Petition for Rulemaking" a site restriction of 11.3 kilometers (7.0 miles) north (35° 29' 13" N; 87° 59' 04" W). Self Broadcasting's proposed site restriction of 7.0 miles north would avoid a potential short-spacing conflict with the apparently unacceptable and defective application of H-M-S Broadcasting Co. to modify WDXE-FM, Lawrenceburg, Tennessee, from Channel 240A to Channel 294A at Lawrenceburg, Tennessee (BPH-960322IB).

On June 26, 1996, Self Broadcasting filed an Informal Objection against the WDXE-FM modification application and a related application to modify the facilities of WXFL(FM), Florence, Alabama, from Channel 241A to Channel 241C2 (BPH-960322IF). Therein, Self Broadcasting demonstrated that both the WDXE-FM and WXFL(FM) were contingent applications filed in violation of Section 73.3517 of the FCC's Rules. That Informal Objection remains pending. Self Broadcasting will, however, file an application for a construction permit for Channel 293A at Clifton, Tennessee, regardless of whether a 6.6 mile northwest or a 7.0 mile north site restriction is placed on the allotment.

Clifton, an incorporated city, which had a 1990 U.S. Census population of 620, is located in Wayne County. Wayne County is rapidly growing, with an 11.2 percent increase in population from 1990-1995, to an estimated total of 15,500. The allotment of Channel 293A will provide Clifton with its first local FM service and a first local aural transmission service. Therefore, the public interest will be served by the allotment of Channel 293A at Clifton, Tennessee.

WHEREFORE, for the foregoing reasons, Self Broadcasting respectfully requests that Channel 293A be allotted to Clifton, Tennessee, as that community's first local aural transmission service.

Respectfully submitted,

D. MITCHELL SELF BROADCASTING, INC.

By: 
Frank R. Jazzo

Its Attorney

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September 23, 1996

bl/fkj/self.p

CERTIFICATE OF SERVICE

I, Barbara Lyle, a secretary in the law firm of Fletcher, Heald & Hildreth, P.L.C., do hereby certify that a copy of the foregoing "Comments" was sent this 23rd day of September, 1996, by first-class United States mail, postage prepaid, to:

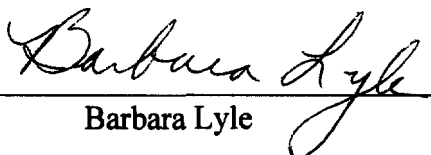
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*By Hand Delivery


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